



General Assembly

Amendment

February Session, 2004

LCO No. 5447

SB0029505447HDO

Offered by:
REP. MCCLUSKEY, 20th Dist.

To: Subst. Senate Bill No. 295

File No. 577

Cal. No. 565

***"AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS
COMMITTEE RELATIVE TO PHARMACY BENEFITS."***

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 17b-8 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The Commissioner of Social Services shall submit an application
6 for a federal waiver of any assistance program requirements, except
7 such application pertaining to routine operational issues, to the joint
8 standing [committee] committees of the General Assembly having
9 cognizance of matters relating to human services and appropriations
10 and the budgets of state agencies [and to the joint standing committee
11 of the General Assembly having cognizance of matters relating to
12 human services] prior to the submission of such application to the
13 federal government. [Within] Not later than thirty days after the date
14 of their receipt of such application, the joint standing committees

15 [may] shall: (1) Hold a public hearing on the waiver application, and
16 (2) thereafter advise the commissioner of their approval, denial or
17 modifications, if any, of [his] the commissioner's application. If the
18 joint standing committees advise the commissioner of their denial of
19 the commissioner's application, the commissioner shall not submit the
20 application for a federal waiver to the federal government. If such
21 committees do not concur, the committee chairpersons shall appoint a
22 committee of conference which shall be comprised of three members
23 from each joint standing committee. At least one member appointed
24 from each joint standing committee shall be a member of the minority
25 party. The report of the committee of conference shall be made to each
26 joint standing committee, which shall vote to accept or reject the
27 report. The report of the committee of conference may not be
28 amended. If a joint standing committee rejects the report of the
29 committee of conference, such committee shall notify the
30 commissioner of the rejection and the commissioner's application shall
31 be deemed approved. If the joint standing committees accept the
32 report, the committee having cognizance of matters relating to
33 appropriations and the budgets of state agencies shall advise the
34 commissioner of their approval, denial or modifications, if any, of the
35 commissioner's application. If the joint standing committees do not so
36 advise the commissioner during the thirty-day period, the application
37 shall be deemed approved. Any application for a federal waiver
38 submitted by the commissioner, pursuant to this section, shall be in
39 accordance with the approval or modifications, if any, of the joint
40 standing committees of the General Assembly having cognizance of
41 matters relating to human services and appropriations and the budgets
42 of state agencies.

43 (b) If in developing the budget for the department for the next fiscal
44 year, the commissioner contemplates applying for a federal waiver,
45 [he] the commissioner shall notify the joint standing committee of the
46 General Assembly having cognizance of matters relating to
47 appropriations and the budgets of state agencies and the joint standing
48 committee of the General Assembly having cognizance of matters

49 relating to human services of the possibility of such application.

50 (c) Prior to submission of an application for a waiver from federal
51 law to the General Assembly under subsection (a) of this section, the
52 Commissioner of Social Services shall publish a notice that the
53 commissioner intends to seek such a waiver in the Connecticut Law
54 Journal, along with a summary of the provisions of the waiver
55 application and the manner in which individuals may submit
56 comments. The commissioner shall allow fifteen days for written
57 comments on the waiver application prior to submission of the
58 application for a waiver to the General Assembly under subsection (a)
59 of this section and shall include all written comments with the waiver
60 application in the submission to the General Assembly.

61 (d) The commissioner shall include with any waiver application
62 submitted to the federal government pursuant to this section: (1) Any
63 written comments received pursuant to subsection (c) of this section;
64 and (2) a complete transcript of the joint committee proceedings held
65 pursuant to subsection (a) of this section, including any additional
66 written comments submitted to the joint committees at such
67 proceedings. The joint committees shall transmit any such materials to
68 the commissioner for inclusion with any such waiver application.

69 Sec. 502. (NEW) (*Effective from passage*) The Commissioner of Social
70 Services shall not agree to any Medicaid waiver or extension of any
71 Medicaid waiver where the federal government, as a condition of
72 granting the waiver, requires the state to agree to any limit on the
73 normal federal cost share in the program."